IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

WP(C).No. 2778 of 2007(E)

PETITIONERS:

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1. S.SUMA, LECTURER IN CHEMISTRY,
   SREE NARAYANA COLLEGE, PUNALUR.

2. B.T.SULEKHA, LECTURER IN ZOOLOGY,
   S.N.COLLEGE, PUNALUR.

3. S.S.SYAMCHAND, LECTURER IN CHEMISTRY,
   S.N.COLLEGE, PUNALUR.

4. MARIAMMA VARGHESE, LECTURER IN
   MATHEMATICS, S.N.COLLEGE, PUNALUR.

5. DR.DIVYA SADASIVAN, LECTURER IN
   MATHEMATICS, S.N.COLLEGE, PUNALUR.

6. JASMINE ROSE, LECTURER IN MATHEMATICS,
   S.N.COLLEGE, PUNALUR.

7. ASHA S.KUMAR, LECTURER IN CHEMISTRY,
   S.N.COLLEGE, KOLLAM.

8. DR.S.V.MANOJ, LECTURER IN CHEMISTRY,
   S.N.COLLEGE, PUNALUR.

9. K.SREELATHA, LECTURER IN PHYSICS,
   S.N.COLLEGE, PUNALUR.

BY ADV. SRI.KRB.KAIMAL (SR.)
SRI.B.UNNIKRISHNA KAIMAL
SRI.V.MADHUSUDHANAN

RESPONDENTS:
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1. THE DIRECTOR OF COLLEGIATE EDUCATION,
   THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF COLLEGIATE
   EDUCATION, KOLLAM.

3. THE PRINCIPAL,
   S.N.COLLEGE, PUNALUR.

4. THE PRINCIPAL,
   S.N.COLLEGE, KOLLAM.

BY GOVT. PLEDER SMT. M.R. SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 2778/2007.

APPENDIX

PETITIONERS' EXTS:

EXT. P1 : TRUE COPY OF THE LETTER NO.28303/02/03/H.EDN. DATED 19.6.2004 FROM THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT TO THE MANAGEMENT OF S.N. COLLEGE.

EXT. P2 : TRUE COPYOF THE ORDER NO.2/PUN.3244 DATED 22.11.2004 ISSUED BY THE MANAGER OF S.N COLLEGES TO THE 1ST PETITIONER.

EXT.P3 : TRUE COPY OF THE ORDER NO.2/PUN/3244 DATED 22.11.2004 ISSUED BY THE MANAGER OF S.N COLLEGES TO THE 2ND PETITIONER.

EXT. P4 : TRUE COPY OF THE ORDER NO.2/PUN/3246 DATED 22.11.2004 ISSUED BY THE MANAGER OF S.N. COLLEGES TO THE 3RD PETITIONER.

EXT. P5 : TRUE COPY OF THE ORDER NO.2/PUN/3254 DATED 22.11.2004 ISSUED BY THE MANAGER OF S.N. COLLEGES TO THE 4TH PETITIONER.

EXT. P6 : TRUE COPY OF THE ORDER NO.2/PUN/3255 DATED 22.11.2004 ISSUED BY THE MANAGER OF S.N. COLLEGES TO THE 5TH PETITIONER.

EXT. P7 : TRUE COPY OF THE ORDER NO.2/PUN/3256 DATED 22.11.2004 ISSUED BY THE MANAGER OF S.N. COLLEGES TO THE 6TH PETITIONER.

EXT. P8 : TRUE COPY OF THE ORDER NO.2/SNC/3245 DATED 22.11.2004 ISSUED BY THE MANAGER OF S.N. COLLEGES TO THE 7TH PETITIONER.

EXT. P9 : TRUE COPYOF THE ORDER NO.2/PUN3241 DATED22.11.2004 ISSUED BY THE MANAGER OF S.N. COLLEGES TO THE 8TH PETITIONER.

EXT. P10 : TRUE COPY OF THE ORDER NO.2/PUN 3249 DATED 22.11.2004 ISSUED BY THE MANAGER OF S.N. COLLEGES TO THE 9TH PETITIONER.

EXT. P11 : TRYE COPY OF THE COMMON JUDGMENT DATED 25.8.2006 OF THIS HON'BLE COURT IN W2/P.(C) 10038/2006 AND CONNECTED CASES.

EXT. P12 : TRYE COPY OF THE ORDER NO.AC.F.III/2/5462/2005 DATED 21.11.2006 ISSUED BY THE UNIVERSITY OF KERALA.

EXT. P13 : TRUE COPY OF THE ORDER NO.AC.F.III/7453/05 DATED 22.11.2006 ISSUED BY THE UNIVIERSITY OF KERALA.

EXT. P14 : TRUE COPY OF THE ORDER NO.AC.F. III/5465/2005 DATED 25.11.2006 ISSUED BY THE UNIVERSITY OF KERALA.

EXT. P15 : TRUE COPY OF THE ORDER NO.AC.F.III.1/014030/05 DATED 16.11.2006 ISSUED BY THE UNIVERSITY OF KERALA.

K.M.JOSEPH, J.

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WP.(C) No.2778 OF 2007

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Dated this the 27th day of March, 2007

JUDGMENT

Petitioners' appointments were approved by Exts.P12 to P15. However, the salary is being withheld. Petitioner relies on the decision reported in **Cherian Mathew v. Principal, S.B. College, Changanassery** (1998(2) K.L.T. 144).

2. Heard Government Pleader also.

The writ petition is disposed of as follows:

The second respondent will place his objections to Exts.P12 to P15 before the Kerala University within a period of one month from the date of receipt of a copy of this judgment. Upon receipt of the objections the Kerala University shall meticulously consider each and every objection and pass an order giving reasons within a period of one month from the date of receipt of the objections. The copy of the order shall be communicated to the petitioners and the second respondent. If the decision taken by the Kerala University reiterates Exts.P12 to P15, the decision in **Cherian Mathew's Case** will hold the field and the

amounts due to the petitioners will be disbursed without any further delay. Petitioners will produce a copy of this judgment before the University of Kerala for compliance.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.